

ENTERED

October 23, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OLUSHOLA OLAMIDE AJAYI,
Petitioner,

v.

ALEJANDRO MAYORKAS, SECRETARY
DEPARTMENT OF HOMELAND SECURITY,
ET AL.,
Respondents.

§
§
§
§
§
§
§
§
§
§

Civil Action No. 4:24-CV-1698

MEMORANDUM AND RECOMMENDATION

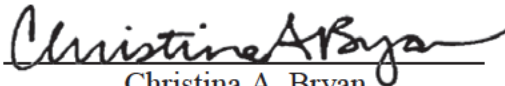
Olushola Olamide Ajayi, who is appearing pro se, filed a Complaint seeking a Writ of Mandamus ordering United States Citizenship and Immigration Services (USCIS) to process his I-485 Application to Register Permanent Residence or Adjust Status and his Form I-360, filed on February 18, 2020.¹ ECF 1. On August 9, 2024, Defendants filed an Advisory Regarding Service of Process. ECF 8. On August 13, 2024, the Court ordered Plaintiff must follow the instructions attached to Defendants' Advisory and complete service on or before September 13, 2024. ECF 9. The Court cautioned Plaintiff that failure to file proof of service on or before September 13, 2024 may result in the Court recommending that this case be

¹ The District Judge referred this case to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), the Cost and Delay Reduction Plan under the Civil Justice Reform Act, and Federal Rule of Civil Procedure 72. ECF 2.

dismissed without prejudice for lack of service. Plaintiff has filed nothing to date in this case. The Court therefore RECOMMENDS that this case be DISMISSED WITHOUT PREJUDICE for failure to prosecute.

The Clerk of the Court shall send copies of the memorandum and recommendation to the respective parties, who will then have fourteen days to file written objections, pursuant to 28 U.S.C. § 636(b)(1)(C). Failure to file written objections within the period provided will bar an aggrieved party from attacking the factual findings and legal conclusions on appeal. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), superseded by statute on other grounds.

Signed on October 23, 2024, at Houston, Texas.


Christina A. Bryan
United States Magistrate Judge